IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 10521 of 2005

Between:

P. Krishna, S/o late Sri Nagaiah, age 42 years, occ: Business, R/o 102, Padmavathi Apartments, Anandbagh, Malkajgiri, R.R. District.

..... PETITIONER

AND

1. The Director of Marketing, Andhra Pradesh, at B.R.K.R. Bhavan, Tank Bund Road, Hyderabad .
2. The Person-in-charge, Agricultural Market Committee, New Osmangunj, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ or writs, order or directions, declaring the action of the respondents in purporting to issue the original receipts pertaining to the installments of sale price of the Shop M/s Veerabhadra & Company, premises bearing No. B/35, Bowenpally Market Yard, Secunderabad, despite the fact that the matter is sub-judice in O.S.No. 1095 of 2003 on the file of the XI Junior Civil Judge, Secunderabad, as illegal, arbitrary and unjustified and consequently direct the respondents to retain the said original receipts with them till the disposal of the suit and pass such other order or orders.

Counsel for the Petitioner: MR.VENKAT REDDY THIPPARTHI
Counsel for the Respondent No.: GP FOR AGRICULTURE

The Court at the stage of admission made the following :

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ORAL ORDER:

Heard both sides.

In this Writ Petition, the petitioner is seeking a Writ of Mandamus, declaring the action of the respondents in purporting to issue the original receipts pertaining to the instalmetns of sale price of the Shop M/s Veerabhadra & company, Premises bearing No. B/35, Bowenpally Market Yard, Secunderabad, despite the fact that the matter is sub-judice in O.S.No. 1095 of 2003 on the file of the XI Junior Civil Judge, Secunderabad, as illegal arbitrary and consequently direct the respondents to retain the said original receipts with them till the disposal of the suit.

Since there is non-joinder of parties and also in view of the fact that O.S.No. 1095 of 2003 is still pending on the file of XI Junior Civil Judge, Secunderabad, I see no reasons to entertain this Writ Petition.

Accordingly, the Writ Petition is dismissed. No order as to costs.

ELIPE DHARMA RAO,J

DATED: 29.04.2005

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To

1. The Director of Marketing, Andhra Pradesh, at B.R.K.R. Bhavan, Tank Bund Road, Hyderabad .
2. The Person-in-charge, Agricultural Market Committee, New Osmangunj, Hyderabad.
3. Two CCs to G.P. for Agriculture, High Court of A.P., Hyderabad (OUT)
4. Two CD copies.